

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION**

IN RE:

**RANDALL LYNN WILLIAMS
MARLA RUTH WILLIAMS**

**CASE NO: 11-11432
CHAPTER 13
JUDGE John C. Cook**

Debtor(s)

**MOTION FOR RELIEF FROM AUTOMATIC STAY
FILED BY AMERICREDIT FINANCIAL SERVICES, INC. D/B/A GM FINANCIAL**

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at United States Bankruptcy Court, Historic U.S. Courthouse, 31 E. Eleventh Street, Chattanooga, TN 37402 an objection within fourteen (14) days from the date this paper was filed and serve a copy on Aaron J. Nash, Movant's Attorney, 1000 Ridgeway Loop Rd, Suite 200, Memphis, TN 38120-4036; Debtors' attorney, W. Thomas Bible, Esq., 6918 Shallowford Rd., Suite 100, Chattanooga, TN 37421; the Chapter 7 Trustee, C. Kenneth Still, P. O. Box 511, Chattanooga, TN 37401; and Assistant U.S. Trustee, Historic U. S. Courthouse, 31 E. Eleventh Street, Fourth Floor, Chattanooga, TN 37402. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.

Comes now, AmeriCredit Financial Services, Inc. d/b/a GM Financial ("AmeriCredit"), by and through counsel, pursuant to 11 U.S.C. § 362, 11 U.S.C. § 554 and Rule 6007(b) of the Federal Rules of Bankruptcy Procedure, and respectfully states as follows:

1. AmeriCredit is a creditor of Debtor, Randall Lynn Williams and Marla Ruth Williams, by virtue of that certain Retail Installment Contract ("Contract") dated March 29, 2006 arising out of the purchase of a 2003 Saturn L200 VIN: 1G8JU54F03Y557110 ("Vehicle"). AmeriCredit holds a validly perfected, first priority security interest in the Vehicle as noted on

the Certificate of Title issued by the State of Georgia. A copy of the title and contract are attached hereto and incorporated herein by reference.

2. Pursuant to Debtors' Amended Chapter 13 Plan, Debtors wish to surrender the Vehicle.

3. The N.A.D.A. average wholesale value of the Vehicle is \$2,425.00; however, the amount due and owing AmeriCredit on the Vehicle is \$1,644.89.

4. Pursuant to 11 U.S.C. Section 362(d)(1), sufficient cause exists, including the lack of adequate protection, for the lifting of the automatic stay as to AmeriCredit, its collateral and the proceeds thereof.

5. Pursuant to 11 U.S.C. § 554, the Vehicle should be abandoned by the estate as the Vehicle is burdensome to the estate and is of inconsequential value and benefit to the estate.

WHEREFORE, the above premises considered, AmeriCredit prays that:

1. The abandonment of the 2003 Saturn L200 be approved and that AmeriCredit be granted relief from the automatic stay provisions of 11 U.S.C. § 362 in order that it may proceed with the enforcement of the security interest in its collateral and with any and all other remedies available under state and/or federal law that are not inconsistent with Title 11 of the United States Code;

2. The provisions of Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure be waived; and

3. That AmeriCredit has such other and further relief to which it may be entitled.

Respectfully Submitted,

/s/ Aaron J. Nash

Aaron J. Nash (024631)

EVANS PETREE PC

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion for Relief from Automatic Stay and Order was delivered by regular U.S. Mail, postage prepaid to Debtor, Randall Lynn Williams, 2432 Highway 95, Rock Spring, GA 30739; and Marla Ruth Williams, 2432 Highway 95, Rock Spring, GA 30739; and served electronically upon Debtors' attorney, W. Thomas Bible, 6918 Shallowford Rd., Suite 100, Chattanooga, TN 37421; the Chapter 7 Trustee, C. Kenneth Still, P. O. Box 511, Chattanooga, TN, 37401; and United States Trustee, Historic U. S. Courthouse, 31 E. Eleventh Street, Fourth Floor, Chattanooga, TN 37402 on this 24th day of March, 2014.

/s/ Aaron J. Nash

Aaron J. Nash